

Applicant : Marshall L. Weingarden
Serial No. : 10/715,180
Amendment Pursuant to 37 CFR § 41.54

Date: 8/14/06
Art Unit: 3728

Remarks/Arguments

Applicant wishes to thank the Examiner for the courtesy of granting a brief telephone interview with applicant's attorney on August 2, 2006. The substance of the discussion during the interview was the procedure for placing the application in condition for allowance by carrying into effect the decision of the Board of Patent Appeals and Interferences in the application.

The claims of the application have been amended to delete claims which stand finally rejected and include only subject matter set forth in claims where the final rejection was not sustained. Accordingly, the amendment places into independent form many of the claims which formerly were in dependent form, the independent claims now including all of the subject matter of the formerly dependent claims and those claims from which they depended. In addition, the dependencies of many of the dependent claims have been amended to assure that no dependent claim depends from a claim which stands finally rejected.

As a result, the total number of claims include one claim in excess of those originally paid for, and three independent claims in excess of those covered by the original filing fee, so that a total additional filing fee of \$325 now is due. Please charge the

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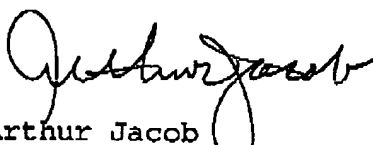
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total amount of three-hundred-twenty-five dollars (\$325) to my credit card, as per the accompanying Credit Card Payment form (PTO-2038) to cover the additional filing fee. Applicant qualifies for small entity status.

Please charge any additional fees due you to Deposit Account No. 502221.

It is respectfully submitted that the present amendment carries into effect the decision of the Board of Patent Appeals and Interferences and places the application in condition for immediate allowance. It is respectfully requested that the amendment be entered and the application be passed to issue.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
FACSIMILE TRANSMITTED TO COMMISSIONER FOR PATENTS, (571)
273-8300 ON

AUGUST 4, 2006
DATE

ARMAND JACOB

NAME OF REGISTERED REPRESENTATIVE


SIGNATURE

8/4/06
DATE

**TOTAL PAGES (INCLUDING THIS PAGE AND
CREDIT CARD PAYMENT FORM PTO-2038): 19**